

**Attached is Additional Information for
Agenda Item #19**

**Acceptance of the Septic System Loan and Inspection
Programs Planning Committee Recommendations**

Meeting of Tuesday, September 14, 2010

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Board of County Commissioners Leon County, Florida

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Agenda Item Executive Summary

September 14, 2010

Title:

Additional Information Regarding Agenda Item Number 19, Acceptance of the Septic System Loan and Inspection Programs Planning Committee Recommendations Final Report

Staff:

Parwez Alam, County Administrator
Vincent S. Long, Deputy County Administrator
Homer Rice, Health Department Administrator

A handwritten signature in black ink, appearing to be "V. Long", is written over the name of Vincent S. Long.

The Comprehensive Plan, Policy 4.2.5: [C] (Attachment #1) requires in part that the County adopt by 2010 land development regulations within the Primary Springs Protection Zone (PSPZ) to minimize the adverse impacts of development on groundwater recharge quality and quantity, and that such regulations include the following where central sewer is not available:

“...Existing traditional OSTDS shall be upgraded to Performance Based OSTDS when the traditional OSTDS fails, as defined in the Florida Administrative Code...”

The Septic System Loan and Inspection Programs Planning Committee’s (“Committee’s”) recommendations would require the upgrade of failing traditional systems to Performance Based systems “...only when there is an established comprehensive funding mechanism in place...” Inclusion of this recommendation in redrafted Ordinance language may place the County in a situation whereby its Ordinance is inconsistent with the Comprehensive Plan.

Staff therefore recommends if the Board directs the redraft of Ordinance language to reflect recommendations in the Committee’s report, that the Board further direct staff to pursue a modification of the Comprehensive Plan relative to the requirement that existing traditional OSTDS that fail are to be upgraded to Performance Based OSTDS. The revised staff recommendations follow:

- Option #1: Accept the Septic System Loan and Inspection Programs Planning Committee Final Report.
- Option #2: Direct staff to redraft the Ordinance language to reflect recommendations in the Septic System Loan and Inspection Programs Planning Committee Final Report, and pursue a modification of the Comprehensive Plan relative to the requirement that existing traditional OSTDS that fail are to be upgraded to Performance Based OSTDS.

Policy 4.2.5: [C] (Effective 4/10/09)

By 2010, local government shall adopt in the Land Development Regulations a mapped Primary Spring Protection Zone (PSPZ) for Wakulla Springs based on the Leon County Aquifer Vulnerability Assessment (LAVA). Land development regulations shall be adopted to establish additional requirements and regulations within the PSPZ to minimize the adverse impacts of development on groundwater recharge quality and quantity. At a minimum, local government shall address the items below:

- (1) The preferred method of wastewater treatment in the PSPZ within the Woodville Rural Community and the USA shall be connection to sewer facilities designed to achieve Advanced Wastewater Treatment standards. Land development regulations and the Water and Sewer Agreement shall be amended to include enhanced requirements for new development and redevelopment to connect to Advanced Wastewater Treatment facilities. The costs of required sewer connections in the PSPZ shall be borne in part or in whole by the developer.
- (2) When connection to sewer facilities designed to achieve Advanced Wastewater Treatment standards is not available, new development and redevelopment in the PSPZ shall use Performance Based On-Site Treatment Disposal Systems (OSTDS) as defined in Policy 1.2.6: [SS]. **Existing traditional OSTDS shall be upgraded to Performance Based OSTDS when the traditional OSTDS fails, as defined in the Florida Administrative Code.** A process providing alternatives to upgrading to a Performance Based OSTDS at the time of traditional OSTDS failure may be developed for low-income households. To ensure that all existing traditional OSTDS and new Performance Based OSTDS function effectively, local government shall designate or institute a Responsible Management Entity and supporting fee structure.
- (3) New development and redevelopment in the PSPZ shall use a Low Impact Development approach, in addition to conventional water quality treatment infrastructure required outside the PSPZ, to minimize adverse impacts of development on water quality and Wakulla Springs. Land development regulations shall specify the mechanism for implementing the Low Impact Development planning and design approach.
- (4) Establish a transfer of development units system within the PSPZ to foster growth in Woodville Rural Community, increase the feasibility of providing centralized sewer service, and protect Wakulla Springs. The transfer of development units system shall be based on the policies below:
 - (A) The Rural and Urban Fringe Future Land Use Map categories inside the PSPZ shall be designated as the sending areas to transfer dwelling units out of. Expansion of the Urban Fringe Future Land Use Map category shall not be allowed in the PSPZ.
 - (B) Areas inside the Woodville Rural Community Future Land Use Map category, where connection to sewer facilities designed to achieve Wastewater Treatment standards is available and required, shall be designated to receive dwelling units.
 - (C) No net increase in dwelling units, as allowed by the Future Land Use Map on the effective date of this policy, shall be allowed in the PSPZ. Areas inside the USA are exempt from this policy and may increase in allowed density when consistent with applicable Comprehensive Plan policies. Approval of a Future Land Use Map amendment outside the USA that would allow an increased number of dwelling units shall require appropriate documentation that rights to the number of increased dwelling units have been, or are committed by a legally binding agreement to be, acquired from the designated sending areas.

(5) The Urban Fringe clustering provision provided in Policy 2.2.2: [L] shall not be allowed within the PSPZ. Urban Fringe areas in the PSPZ may develop at one dwelling unit per three acres or as a Conservation Subdivision.

(6) Restrict fertilizer content and application rates within the PSPZ.

(7) Protection of environmentally sensitive areas and features within the PSPZ shall be a priority for the local government environmental land acquisition program.

Policy 1.2.6: [SS] (*Effective 4/10/09; Rev. Effective 4/2/10*)

Within the Primary Springs Protection Zone, as identified in Policy 4.2.5 [C], Performance Based On-Site Treatment Disposal Systems shall be required when connection to sewer facilities designed to achieve Advanced Wastewater Treatment standards is not available. Performance Based on-Site Treatment Disposal Systems must be a design that is accepted by the Department of Health. Local government shall establish by ordinance a Nitrogen reduction treatment standard for new and replacement Performance Based On-Site Treatment Disposal Systems in the Primary Springs Protection Zone.